

In the United States Patent and Trademark Office

Application No.: not assigned
Filed: filed herewith
Title: Apparatus and Method for Optical Characterization of a Sample Over a Broadband of Wavelengths While Minimizing Polarization Changes
Applicant(s): Ray Hebert
Examiner: not yet assigned
Art Unit: not yet assigned

Mailed Palo Alto, CA
Palo Alto, CA

Information Disclosure Statement

Commissioner of Patents and Trademarks
Washington, District of Columbia 20231

Dear Sir or Madam:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon. It is requested that the document(s) on the enclosed form be made of record.

Part I (Authority)

This statement is filed pursuant to:

☒ 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or (3) before the mailing date of a first office action on the merits, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

☐ 37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a notice of allowance under 37 C.F.R. § 1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) (\$240), or a certification according to 37 C.F.R. § 1.97(e).

☐ 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(c).

Accordingly, this information disclosure statement requires the petition fee specified in 37 C.F.R. § 1.17(i)(1) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$130), a certification according to 37 C.F.R. § 1.97(e), and a petition requesting consideration of the information disclosure statement.

Conditional Petition

It is respectfully requested that this information disclosure statement be considered, good cause being presented in Part III herein (certification). please treat this paper as the required petition.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record.

To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

Part II (Payment)

A check is enclosed as indicated:

- ☒ (X) No fee is due.
- ☐ () The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$240).
- ☐ () The petition fee specified in 37 C.F.R. § 1.17(i)(1) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) is enclosed (\$130).

Part III (Certification)

Pursuant to 37 C.F.R. § 1.97(e), I certify:

- ☒ (X) No certification is necessary.
- ☐ ()
 - (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.
 - ☐ () The "communication from a foreign patent office" referred to in the certification is an International Search Report, possibly issued by the U.S. Patent and Trademark Office in its capacity as an International Search Authority or International Preliminary Examining Authority.
 - ☐ () The "counterpart foreign application" referred to in the certification corresponds to an ancestor or descendent application of the application for which this information disclosure statement is filed.
- ☐ ()
 - (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

Part IV (Additional Statement)

An additional statement regarding these items of information ☐ () is, ☒ (X) is not, enclosed.

Copies of the cited art ☐ () are enclosed, ☐ () are of record in parent application Serial No. _____ and will be provided if the Examiner deems it convenient.

Dated: 12/19/03

Respectfully submitted,



Dr. Steven Stupp
Reg. No. 54,475
2345 Yale Street, 2nd Floor
Palo Alto, CA 94306
tel: (650) 424-0100
fax: (650) 424-0141

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE										ATTY. DOCKET NO. NAK-130B		SERIAL NO. Not yet assigned	
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)										APPLICANT Ray Hebert			
										FILING DATE Filed Herewith		GROUP Not yet assigned	
U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME		RELEVANT INFORMATION	
	A	4	6	4	5	3	4	9	02/24/1987	Tabata			
	B	5	0	9	6	2	9	8	03/17/1992	Isobe			
	C	5	1	6	6	7	5	2	11/24/1992	Spanier et al.			
	D	5	1	8	1	0	8	0	01/19/1993	Fantom et al.			
	E	5	2	4	1	3	6	6	08/31/1993	Bevis et al.			
	F	5	3	2	9	3	5	7	07/12/1994	Bernoux et al.			
	G	5	6	0	7	8	0	0	03/04/1997	Ziger			
	H	5	6	0	8	5	2	6	03/04/1997	Piwonka-Corle et al.			
	I	5	7	3	9	9	0	9	04/15/1998	Blayo et al.			
	J	5	7	4	7	8	1	3	05/05/1998	Norton et al.			
	K	5	8	6	7	2	7	6	02/02/1999	McNeil et al.			
	L	5	8	8	0	8	3	8	03/09/1999	Marx et al.			
	M	5	9	1	0	8	4	2	06/08/1999	Piwonka-Corle et al.			
	N	5	9	1	7	5	9	4	06/29/1999	Norton			
FOREIGN PATENT DOCUMENTS													
		2- letter code	DOCUMENT NUMBER						DATE	COUNTRY		TRANSLATION	
												YES	NO
	O												
	P												
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)													
	Q												
EXAMINER									DATE CONSIDERED				
* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.													

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE										ATTY. DOCKET NO. NAK-130B		SERIAL NO. Not yet assigned	
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)										APPLICANT Ray Hebert			
										FILING DATE Filed Herewith			
U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME		RELEVANT INFORMATION	
	A	5	9	6	3	3	2	9	10/05/1999	Conrad et al.			
	B	5	9	9	1	0	2	2	04/27/1999	Buermann et al.			
	C	6	1	2	8	0	8	5	10/03/2000	Buermann et al.			
	D	6	1	3	7	5	7	0	10/24/2000	Chuang et al.			
	E	6	1	8	4	9	8	4	02/06/2001	Lee et al.			
	F	6	3	1	0	6	8	7	10/30/2001	Stumbo et al.			
	G	6	3	2	3	9	4	6	11/27/2001	Norton			
	H	6	4	2	9	9	4	3	08/06/2002	Opsal et al.			
	I	6	4	6	2	8	1	7	10/08/2002	Strocchia-Rivera			
	J	6	4	8	3	5	8	0	11/19/2002	Xu et al.			
	K	6	5	1	5	7	4	4	02/04/2003	Wei			
	L	6	5	8	3	8	7	7	06/24/2003	Norton			
	M	6	5	8	7	2	8	2	07/01/2003	Wang et al.			
	N	6	6	1	1	3	3	0	08/26/2003	Lee at al.			
	O	20020008874							01/24/2002	Lee et al.			
FOREIGN PATENT DOCUMENTS													
		2- letter code	DOCUMENT NUMBER						DATE	COUNTRY		TRANSLATION	
												YES	NO
	P												
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)													
	Q												
EXAMINER									DATE CONSIDERED				
* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.													